

## UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA  
V.United States District Court  
Southern District of Texas  
FILED

Amended

## CRIMINAL COMPLAINT

Jose Guadalupe OROCJO  
USC YOB: 1994

AUG 26 2015

Case Number: M-15-1462-M

Clerk of Court

I, Juan Hernandez, the undersigned complainant state that the following is true and correct to the best of my


Knowledge and belief. On or about August 24, 2015 in Hidalgo County, in  
(Date)  
the Southern District of Texas Defendant(s) did,

knowing or in reckless disregard of the fact that Rosibel SAGASTUME-Pineda, Wilson Hernan HERNANDEZ-Pesos, nationals of Honduras and Jose Luis CARMONA-Ortiz, a Mexican National, along with fourteen (14) other undocumented aliens, for a total of six (17), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Donna, Texas to a point of near Weslaco, Texas.

in violation of Title 8 United States Code, Section(s) 1324 Felony.  
I further state that I am a(n) Special Agent Juan Hernandez And that this complaint is based on the  
Official Title  
following facts:

See Attachment "A"

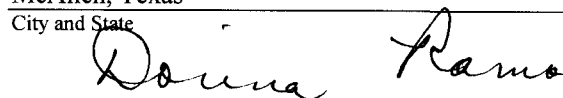
Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

  
Signature of Complainant  
SA Juan Hernandez  
Printed Name of Complainant

Sworn to before me and signed in my presence,

August 26, 2015  
Date

at

McAllen, Texas  
City and StateU.S. Magistrate Dorina Ramos  
Name and Title of Judicial Officer
  
Signature of Judicial Officer

### Attachment "A"

On August 24, 2015 Rio Grande Valley (RGV) Field Intelligence Team (FIT) along with Weslaco Border Patrol Agents and Hidalgo County Constable conducted a consensual search at 5211 Los Indios Lane Donna, Texas, which resulted in a 1 Principle on 17 UDAs.

While interviewing the UDAs involved in this case, the UDAs stated that on Sunday, August 23, 2015 in the morning hours, at about 5:00am, two unknown male subjects driving a white pickup truck came to 5211 Los Indios Lane in Donna, Texas. Both of the subjects were described as Hispanic males and one of them pointed a rifle at the group of UDAs and instructed them to hurry up and get ready to leave because immigration (la Migra) was coming and they needed to go.

One of the UDAs stated that he had the GPS coordinates of that house were these two men took them in his cellular phone. The subject was shown a picture of the house based on the GPS location. The address was 7709 Olivarez Drive in Weslaco, Texas. The UDAs recognized that as the house they were taken to by these two subjects. Based on this information the FIT team set up surveillance at 7709 Olivarez Drive in Weslaco Texas.

At approximately 3:20 p.m., BPA (Intel) Combs and BPA J. Almanza observed a white Chevrolet Silverado truck leave the location. Agents contacted Hidalgo County Constable Deputy Raul Salinas to assist with a traffic stop. Deputy Salinas followed the vehicle and performed a traffic stop on the white Chevrolet Silverado bearing Texas license plates DGV1849 near the intersection of Mile 12 and Farm to Market Road 88.

FIT Agents approached the traffic stop and questioned the driver of the vehicle as to his immigration status. The driver identified himself as Jose Guadalupe OROCIO, and claimed to be a citizen of the United States. FIT Agents transported OROCIO to the Weslaco Border Patrol Station for further questioning on the smuggling case that was apprehended at 5211 Los Indios Lane Donna, Texas and to establish the subject's true identity.

Once at the Weslaco border patrol Station, Jose Guadalupe OROCIO was read his Miranda Warnings in the English Language by BPA C. Combs and was witnessed by BPA J. Almanza. Subject stated that he understood his Miranda Rights and waived his right to have an attorney present during questioning at that time.

Subject claimed to have no involvement to smuggling of UDAs and when the FIST Agents asked if he would give consent to search his place of residence at 7709 Olivarez Drive in Weslaco Texas, OROCIO decided to terminate the interview and decided he wanted to consult with an attorney.

Homeland Security Investigations (HSI) Special Agent (SA) Juan Hernandez was contacted to attempt to do a consensual search at OROCIO's residence in Weslaco Texas. At approximately 8:00 p.m. HSI Agents, Hidalgo County Constables and FIT Agents approached the residence located at 7709 Olivarez Drive in Weslaco Texas and were given consent to search the house by Oralio Orocio, Jose Guadalupe OROCIO's mother. Agents searched the house and did not find any additional UDAs or weapons.

All the UDAs were interviewed and shown a six picture photo line-up and they all identified Jose Guadalupe OROCIO as the subject pointing the rifle at the UDAs and giving them instructions. They all stated OROCIO and another unknown subject transported them from 5211 Los Indios Lane in Donna, Texas to 7709 Olivarez Drive in Weslaco, Texas.

Rosibel SAGASTUME-Pineda, Wilson HERNANDEZ-Posas and Jose Luis CARMONA-Ortiz identified OROCIO as the person in charge, giving orders and pointing the rifle at them. HERNANDEZ stated OROCIO fed the group that went inside the house and directed them were they had to stay in the house.